

April 10, 2009

Ms. Tracy Egoscue  
Executive Officer  
Los Angeles Regional Water Quality Control Board  
320 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Transportation Department  
Wm. Butch Britt, Director  
Central Services Department  
Janice E. Turner, Director  
Water & Sanitation Department  
R. Reddy Pakala, Director  
Watershed Protection District  
Tom Lagier, Director  
Engineering Services Department  
Alec T. Pringle, Director

**SUBJECT: FEBRUARY 24, 2009 TENTATIVE ORDER OF THE VENTURA COUNTY MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT (NPDES No. CAS004002) FOR THE VENTURA COUNTY WATERSHED PROTECTION DISTRICT, COUNTY OF VENTURA AND THE INCORPORATED CITIES**

Dear Ms. Egoscue:

On behalf of the County of Ventura Stormwater Program (County), we appreciate this opportunity to provide written comments concerning the Regional Water Quality Control Board's (Regional Board) tentative order of Waste Discharge Requirements for Storm Water Discharges from the Municipal Separate Storm Sewer System (Tentative Order) in Ventura County (NPDES Permit No. CAS004002). This was released for public comment by the Regional Water Board on February 24, 2009. The County commented on previous drafts on March 6, 2007, October 15, 2007 and May 29, 2008.

The County supports the April 10, 2009 Ventura Countywide Program comment letter and all attachments.

We appreciate the Regional Water Board's staff efforts to meet and consider our many concerns with the previous draft orders. These efforts aided in crafting a Tentative Order that is both protective of water quality and implementable by the County. The resulting Tentative Order still represents a large increase in costs and effort, but is comprehensive and provides clear metrics for assessing the effectiveness of our program and addresses relevant water quality issues within our watersheds.

One issue the County would like to emphasize is that we are in agreement in how the TMDLs were incorporated into the Tentative Order. Consistent with 40 C.F.R. § 122.44(d)(1)(vii)(B), the Tentative Order incorporates wasteload allocations (WLAs) for effective TMDLs as permit limits. As required by 40 C.F.R. § 122.44(d)(1)(vii)(B), the permit limits in the Tentative Order are incorporated as receiving water limits and therefore are "consistent with the assumptions and requirements of available WLAs". Additionally, the WLAs have appropriately been expressed in the form of BMPs consistent with EPA's 2002 Memorandum *Establishing Total Maximum Daily Load*.



consistent with EPA's 2002 Memorandum *Establishing Total Maximum Daily Load (TMDL) Wasteload Allocations (WLAs) for Storm Water Sources and NPDES Permit Requirements Based on Those WLAs*.

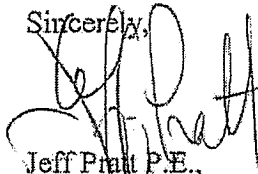
In accordance with EPA's Guidance, the BMPs included in the permit will be sufficient to implement and achieve the WLAs in the TMDLs. Further, the specified monitoring program is sufficient to determine compliance load reductions resulting from BMP implementation. This combined with the incorporation of the "iterative process" is consistent with USEPA's Guidance.

However, while the language in the Tentative Order meets the requirements of 40 C.F.R. §122.44(d)(1)(vii)(B) and is consistent with EPA's Guidance, we recommend revisions be made to provide further clarification that the WLAs will be implemented through BMPs and to provide a mechanism for making adjustments to the BMPs to ensure their adequate performance. To clearly implement the TMDL in accordance with EPA's 2002 memorandum the County again refers to the language changes suggested in the April 10, 2009 Ventura Countywide Stormwater Quality Program letter referenced above.

In conclusion, we acknowledge the efforts of Regional Board staff for the work done to date, however, the Tentative Order as a whole will be a considerable increase in cost and effort to implement over the current permit. We strongly urge Regional Board staff to consider the implications of any additional requirements that may be requested during the comment period, and of any future modifications that may strain an already burdened program. Furthermore, we encourage your staff to continue work with County staff for effective communication in the implementation phase of the new permit.

Again, thank you for this opportunity to comment.

Sincerely,



Jeff Pratt P.E.,  
Agency Director

C: Chris Stephens, Director of RMA  
Wm. Butch Britt, Director of Transportation  
R. Reddy Pakala, Director of Water & Sanitation  
Tom Lagier, Director of Watershed Protection District  
Gerhardt Hubner, Deputy Director, Watershed Protection District  
Ventura County Stormwater Permittees

